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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

WALLERSON, MARK E

ART UNIT PAPER NUMBER

2626

DATE MAILED: 07/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/438,515

Applicant(s)

TABATA, YASUHIRO

Examiner

Mark E. Wallerson

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 26 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 18-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 18-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 08/786,643.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: response filed on 4/21/04.
2. This application has been reconsidered. Claims 18-45 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kageyama (U. S. 5,625,757) in view of Weinberger et al (U. S. 5,603,060).

With respect to claims 18 22-26, and 30-33, Kageyama discloses a network control system comprising a computer network (figure 1); a plurality of image forming apparatuses (17 and 18) connected to the computer network (10), each image forming apparatus configured to record an image on a recording paper; a server (14, 15, or 16) connected to the network and configured to store information items of the plurality of image forming apparatuses (column 16, lines 54-67); a computer (11, 12, or 13) connected to the network, comprising a computer display (figure 3) configured to display the information items stored in the server (column 16, line 54 to column 17, line 8), and an input device (keyboard) configured to input data into the computer, the computer configured to select one of the plural image forming apparatus to

which the operator sends a print instruction based on the items displayed on the computer display (column 16, line 54 to column 17, line 8 and column 18, lines 32-46).

Kageyama differs from claims 18, 22-26 and 30-33 in that he does not clearly disclose storing a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network.

Weinberger discloses a print system that allows a user to access a functional replica of the operational panel of copiers from a remote location, wherein a copy of the control panel information is maintained at a data collection computer (which reads on a server) (16) (column 13, lines 24-54). Weinberger also discloses controlling copy machine keystroke commands from a remote location and transmitting a data pattern corresponding to the command to the copier control computer (the abstract; column 4, lines 15-24, and column 9, lines 20-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama by the teaching of Weinberger in order to allow an experienced person to view actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

With respect to claims 19 and 27, Kageyama discloses the information items include an installation location of the image forming apparatuses (column 29, lines 15-24).

With regard to claims 20, 21, 28, and 29, Kageyama discloses the information items include machine model, presence of specification data and existence of malfunctions in the image forming apparatus (column 16, line 54 to column 17, line 24).

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 18, 20, 22, 24, 26, 28, 30, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugishima (U. S. 5,768,516) in view of Weinberger.

With respect to claims 18 and 26, Sugishima discloses a network control system comprising a computer network (figure 1); a plurality of image forming apparatuses (11, 13, and 15) connected to the computer network (16), each image forming apparatus configured to record an image on a recording paper (column 3, lines 12-18); a server (which reads on a system management apparatus) (10) connected to the network and configured to store information items of the plurality of image forming apparatuses (column 4, lines 9-12); a computer (12) connected to the network, comprising a computer display (figure 1) configured to display the information items stored in the server (column 4, lines 9-33), and an input device (keyboard) configured to input data into the computer, the computer configured to select one of the plural image forming apparatus to which the operator sends a print instruction based on the items displayed on the computer display (the abstract; column 1, lines 39-52, and column 4, lines 12-17).

Sugishima differs from claims 18 and 26 in that he does not clearly disclose storing a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network.

Weinberger discloses a print system that allows a user to access a functional replica of the operational panel of copiers from a remote location, wherein a copy of the control panel information is maintained at a data collection computer (which reads on a server) (16) (column 13, lines 24-54). Weinberger also discloses controlling copy machine keystroke commands from a remote location and transmitting a data pattern corresponding to the command to the copier control computer (the abstract; column 4, lines 15-24, and column 9, lines 20-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima by the teaching of Weinberger in order to allow an experienced person to view actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

With regard to claims 20 and 28, Sugishima discloses the information items include machine model, presence of specification data and existence of malfunctions in the image forming apparatus (column 8, lines 22-37).

With respect to claims 22, 24, 30, and 32, Sugishima differs from claims 22, 24, 30, and 32 in that he does not clearly disclose storing the layout of an operation panel for each image forming apparatus.

Weinberger discloses a print system that allows a user to access a functional replica of the operational panel of copiers from a remote location, wherein a copy of the control panel information is maintained at a data collection computer (which reads on a server) (16) (column 13, lines 24-54). Therefore, it would have been obvious to one of ordinary skill in the art at

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the time of the invention to have modified Sugishima to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima by the teaching of Weinberger in order to allow an experienced person to view actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 19, 21, 23, 25, 27, 29, 31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugishima in view of Weinberger as applied to claims 18 and 26 above, and further in view of Ooki (U. S. 5,991,846).

With respect to claims 19 and 27, Sugishima as modified differs from claims 19 and 27 in that he does not clearly disclose the information items include an installation location of the image forming apparatuses.

Ooki discloses an information processing system wherein information pertaining to the location of printers is stored in a server (102) and displayed to a user (column 7, lines 4-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima as modified wherein the information items include an installation location of the image forming apparatuses. It would have been obvious to one of

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ordinary skill in the art at the time of the invention to have modified Sugishima as modified by the teaching of Ooki in order to allow the user to easily select a preferable printer as discloses by Ooki in column 1, lines 55-58.

With regard to claims 21 and 29, Sugishima discloses the information items include machine model, presence of specification data and existence of malfunctions in the image forming apparatus (column 8, lines 22-37).

With respect to claims 23, 25, 31 and 33, Sugishima differs from claims 23, 25, 31, and 33 in that he does not clearly disclose storing the layout of an operation panel for each image forming apparatus.

Weinberger discloses a print system that allows a user to access a functional replica of the operational panel of copiers from a remote location, wherein a copy of the control panel information is maintained at a data collection computer (which reads on a server) (16) (column 13, lines 24-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima by the teaching of Weinberger in order to allow an experienced person to view actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 34-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kageyama in view of Weinberger.

With regard to claims 34, 37, 40, and 43, Kageyama discloses a server (300) connected to a network (10) having a client computer (11) and a plurality of image forming apparatuses (1), comprising storing means (7200) for storing information items associated with the image inherent to each of the image forming apparatuses; receiving means for receiving requirements for image forming from the client (column 16, lines 56-59); means for performing a search for image forming apparatuses satisfying the requirements from among the plural image forming apparatuses and researching the search to the client (column 16, lines 56-62); receiving a user selection from the client for selecting one image forming apparatus based on the result (column 16, lines 61-64), and transmitting to the client information items associated with image forming inherent to the selected image forming apparatus (column 24, lines 16-35); receiving from the client user instructions corresponding to the information items associated with the selected image forming apparatus (column 34, lines 36-48), and sending an image forming execution instruction to the image forming apparatus (column 24, line 49 to column 25, line 10).

Kageyama differs from claims 34, 37, 40, and 43 in that he does not clearly disclose storing a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network.

Weinberger discloses a print system that allows a user to access a functional replica of the operational panel of copiers from a remote location, wherein a copy of the control panel

information is maintained at a data collection computer (which reads on a server) (16) (column 13, lines 24-54). Weinberger also discloses controlling copy machine keystroke commands from a remote location and transmitting a data pattern corresponding to the command to the copier control computer (the abstract; column 4, lines 15-24, and column 9, lines 20-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama by the teaching of Weinberger in order to allow an experienced person to view actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

With respect to claims 35, 38, 41, and 44, Kageyama discloses including an installation location of the image forming apparatuses in the search result (column 23, lines 1-6 and column 29, lines 15-20).

With respect to claims 36, 39, 42, and 45, Kageyama discloses reporting the results of the image forming apparatuses partly satisfying the requirements in an order of decreasing number of information items satisfying the requirements (which reads on displaying the printers in accordance with the registration order) (column 22, line 59 to column 23, line 6, column 24, lines 26-35).

11. Claims 34, 36, 37, 39, 40, 42, 43, and 45 rejected under 35 U.S.C. 103(a) as being unpatentable over Sugishima in view of Weinberger.

With regard to claims 34, 37, 40, and 43, Sugishima discloses a server (network management apparatus) connected to a network (16) having a client computer (12) and a plurality of image forming apparatuses (13 and 15), comprising storing means (figure 4) for storing information items associated with the image inherent to each of the image forming apparatuses; receiving means for receiving requirements for image forming from the client (column 1, lines 39-43); means for performing a search for image forming apparatuses satisfying the requirements from among the plural image forming apparatuses and researching the search to the client (column 1, lines 45-49); receiving a user selection from the client for selecting one image forming apparatus based on the result (column 4, lines 1-33), and transmitting to the client information items associated with image forming inherent to the selected image forming apparatus (column 4, lines 12-17); receiving from the client user instructions corresponding to the information items associated with the selected image forming apparatus (column 8, lines 12-37), and sending an image forming execution instruction to the image forming apparatus (column 8, lines 12-37).

Sugishima differs from claims 34, 37, 40, and 43 in that he does not clearly disclose storing a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network.

Weinberger discloses a print system that allows a user to access a functional replica of the operational panel of copiers from a remote location, wherein a copy of the control panel information is maintained at a data collection computer (which reads on a server) (16) (column 13, lines 24-54). Weinberger also discloses controlling copy machine keystroke commands from a remote location and transmitting a data pattern corresponding to the command to the

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copier control computer (the abstract; column 4, lines 15-24, and column 9, lines 20-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima by the teaching of Weinberger in order to allow an experienced person to view actual machine conditions first hand as disclosed by Weinberger in column 13, lines 40-45.

With respect to claims 36, 39, 42, and 45, Sugishima discloses reporting the results of the image forming apparatuses partly satisfying the requirements in an order of decreasing number of information items satisfying the requirements (figure 4).

12. Claims 35, 38, 41, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugishima in view of Weinberger as applied to claims 34, 37, 40, and 43 above, and further in view of Ooki (U. S. 5,991,846).

With respect to claims 35, 38, 41, and 44, Sugishima as modified differs from claims 35, 38, 41, and 44 in that he does not clearly disclose the information items include an installation location of the image forming apparatuses.

Ooki discloses an information processing system wherein information pertaining to the location of printers is stored in a server (102) and displayed to a user (column 7, lines 4-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima as modified wherein the information items include an installation location of the image forming apparatuses. It would have been obvious to one of

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ordinary skill in the art at the time of the invention to have modified Sugishima as modified by the teaching of Ooki in order to allow the user to easily select a preferable printer as discloses by Ooki in column 1, lines 55-58.

Response to Arguments

13. Applicant's arguments filed 4/21/2004 have been fully considered but they are not persuasive. Applicant submits that Weinberger does not disclose that a user from a remote location can input a print instruction to execute a printing operation. The Examiner respectfully disagrees.

Weinberger discloses that the remote key operator is able to view an actual representation of **any** copier (2) (emphasis added) (column 13, lines 40-42). Weinberger also discloses controlling copy machine keystroke commands from a remote location and transmitting a data pattern corresponding to the command to the copier control computer (the abstract; column 4, lines 15-24, and column 9, lines 20-61).

Additionally, Kageyama discloses being able to send a printing instruction to a selected printer (column 18, lines 28-46 and column 24, lines 26-59).

Sugishima also discloses searching for a specific printer, selecting the printer and transmitting printing data to the printer searched for (the abstract).

Conclusion

14. All claims are rejected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark E. Wallerson whose telephone number is (703) 305-8581. The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson
Primary Examiner
Art Unit 2626

MARK WALLERSON
PRIMARY EXAMINER

